

Application No. 09/830,946
Amendment Dated February 8, 2006
Reply to Office Action of October 11, 2005

REMARKS

By this Amendment, Claims 48, 51-53, 58 and 60 are being canceled to expedite the prosecution of this application. It should be understood that Claims 48, 51-53, 58 and 60 have been cancelled only to expedite the prosecution of this application and their cancellation should not be interpreted as an admission that they are not patentable. To the contrary, these canceled claims are believed to be patentable and will be the subject of a continuation application to be filed shortly. Claims 1-47, 49-50, 54-57, 59, 62-63, 68-71 and 73 were previously cancelled. Thus, Claims 61, 64-67, 72 and 74 are currently pending.

The Examiner has rejected Claims 61, 64-67, 72 and 74 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4, 7 and 11-12 of U.S. Patent No. 6,106,861 in view of Ku et al (5,994,348). To that end, Applicants have enclosed herewith, as Exhibit A, a terminal disclaimer with regard to the commonly-owned '861 patent to overcome that rejection.

The Examiner has also rejected Claims 61, 64-67, 72 and 74 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 21, 24-26, 28-29 and 36 of co-pending U.S. Application No. 09/914,544 and claims 1-9 of co-pending U.S. Application No. 10/494,505. To that end, Applicants have enclosed herewith, as Exhibits B and C, terminal disclaimers with regard to the commonly-owned '544 and '505 applications, respectively.

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For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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consideration of this submission.